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09/695,141	10/25/2000	Hideo Shimazu	Q61419	3357

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EXAMINER

NGUYEN, DAVID Q

ART UNIT

PAPER NUMBER

2681

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3

Please find below and/or attached an Office communication concerning this application or proceeding.

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Filed 5/2001  
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9/4

**Office Action Summary**

Application No.

09/695,141

Applicant(s)

SHIMAZU, HIDEO

Examiner

David Q Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 October 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 4 is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakamura (US Patent Number 6115667).

Regarding claim 1, Nakamura discloses a satellite broadcasting system for broadcasting a broadcasting program to be broadcast all at once to many and unspecified apparatus over a wide range through a satellite (see col. 5, lines 30-40), comprising: a transmission apparatus (see fig. 3; col. 5, lines 30-40); and at least one reception apparatus (see fig. 1 and 2; col. 5, lines 58-67); said transmission apparatus including means for multiplexing an area designation part and a contents part to produce the broadcasting program, and means for transmitting the broadcasting program (see fig. 4; col. 4, lines 1-29); said reception apparatus including a radio wave reception section for receiving a broadcasting program (see col. 5, lines 58-60), a current position acquisition section for detecting a current position of said reception apparatus (see col. 6, lines 42-50; figs. 1 and 2).

Nakamura also discloses that road map data program transmitted from the transmission apparatus is stored in a memory (see col. 6, lines 34-40). It is apparent that the road map data program is an

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area to physical district coordination table including pairs of information each of which represents an area name and a physical district of the area name.

Nakamura also discloses a current area detection section for searching for an area name which includes the current position detected by said current position acquisition section from within area to physical district coordination table and outputting the searched out area name (see col. 6, lines 56-67); a broadcasting propriety discrimination section for comparing the area name outputted from said current area detection section and the area designation part of the broadcasting program received from said radio wave reception with each other and outputting the contents part of the broadcasting program when the area name is included in the area designation part, and a reproduction section for receiving and reproducing the contents part of the broadcasting program outputted from said broadcasting propriety discrimination section (see col. 6, lines 55 to col. 7, line 6).

Regarding claim 3, Nakamura discloses a satellite broadcasting reception apparatus, comprising a radio wave reception section for receiving a broadcasting program in which an area designation part and a contents part are multiplexed (see fig. 4; col. 4, lines 1-29; col. 5, lines 58-60)); a current position acquisition section for detecting a current position of said reception apparatus (see col. 6, lines 42-50; figs. 1 and 2).

Nakamura also discloses road map data program of data programs decoded by the Viterbi decoder, after being extracted in a navigation data detector unit and stored in a memory (see col. 6, lines 34-41). It is apparent that the road map data program is an area to physical district coordination table including pairs of information each of which represents an area name and a physical district of the area name.

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Nakamura also discloses a current area detection section for searching for an area name which includes the current position detected by said current position acquisition section from within area to physical district coordination table and outputting the searched out area name (see col. 6, lines 56-67); a broadcasting propriety discrimination section for comparing the area name outputted from said current area detection section and the area designation part of the broadcasting program received from said radio wave reception with each other and outputting the contents part of the broadcasting program when the area name is included in the area designation part (see col. 6, lines 55 to col. 7, line 6), and a reproduction section for receiving and reproducing the contents part of the broadcasting program outputted from said broadcasting propriety discrimination section (see col. 6, lines 55 to col. 7, line 6).

***Allowable Subject Matter***

2. Claims 2 and 4 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 2, Nakamura discloses a satellite broadcasting system for broadcasting a broadcasting program to be broadcast all at once to many and unspecified apparatus over a wide range through a satellite (see col. 5, lines 30-40), comprising: a transmission apparatus (see fig. 3; col. 5, lines 30-40); and at least one reception apparatus (see fig. 1 and 2; col. 5, lines 58-67); said transmission apparatus including means for multiplexing an area designation part and a contents part to produce the broadcasting program, and means for transmitting the broadcasting program (see fig. 4; col. 4, lines 1-29); said reception apparatus including a radio wave reception section for receiving a broadcasting program (see col. 5, lines 58-60), a current position

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acquisition section for detecting a current position of said reception apparatus (see col. 6, lines 42-50; figs. 1 and 2); an area to physical district coordination table including pairs of information each of which represents an area name and a physical district of the area name, a current area detection section for searching for an area name which includes the current position detected by said current position acquisition section from within area to physical district coordination table and outputting the searched out area name (see col. 6, lines 56-67); a broadcasting propriety discrimination section for comparing the area name outputted from said current area detection section and the area designation part of the broadcasting program received from said radio wave reception with each other, and a reproduction section for receiving and reproducing the contents part of the broadcasting program outputted from said broadcasting propriety discrimination section (see col. 6, lines 55 to col. 7, line 6).

*Nakamura is silent to disclose a broadcasting propriety discrimination section for comparing the area name outputted from said current area detection section and the area designation part of the broadcasting program received from said radio wave reception with each other and refraining said broadcast propriety discrimination section itself from outputting the contents part of the broadcasting program when the area name is included in the area designation part.*

Regarding claim 4, Nakamura discloses a satellite broadcasting reception apparatus, comprising a radio wave reception section for receiving a broadcasting program in which an area designation part and a contents part are multiplexed (see fig. 4; col. 4, lines 1-29; col. 5, lines 58-60)); a current position acquisition section for detecting a current position of said reception apparatus (see col. 6, lines 42-50; figs. 1 and 2); an area to physical district coordination table

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including pairs of information each of which represents an area name and a physical district of the area name (see explanation in claim 3); a current area detection section for searching for an area name which includes the current position detected by said current position acquisition section from within area to physical district coordination table and outputting the searched out area name (see col. 6, lines 56-67); a broadcasting propriety discrimination section for comparing the area name outputted from said current area detection section and the area designation part of the broadcasting program received from said radio wave reception with each other; and a reproduction section for receiving and reproducing the contents part of the broadcasting program outputted from said broadcasting propriety discrimination section (see col. 6, lines 55 to col. 7, line 6).

*Nakamura is silent to disclose a broadcasting propriety discrimination section for comparing the area name outputted from said current area detection section and the area designation part of the broadcasting program received from said radio wave reception with each other and refraining said broadcast propriety discrimination section itself from outputting the contents part of the broadcasting program when the area name is included in the area designation part.*

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q Nguyen whose telephone number is 7036054254. The examiner can normally be reached on 8:30AM-5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 703-305-4778. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-9508 for regular communications and 703-305-9508 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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W

August 6, 2003

  
ERIKA GARY  
PATENT EXAMINER